STUDY PROJECT

THE NEWS MEDIA: SHOULD THEY PLAY A ROLE IN CRISIS MANAGEMENT?

BY

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Over the course of the past thirty years our American news media have undergone revolutionary changes which have dramatically affected their degree of influence on public opinion and consequently their impact on our government's high-level decision makers. Television, radio, and print news carry their message to millions of viewers, listeners and readers daily. In the future, media owned and operated satellites will add a new dimension to

the media's ability to rapidly collect and disseminate potentially sensitive information. This paper examines the role of the media in a democratic society; how public opinion is influenced, and the media's impact on foreign policy and national security decision making in a crisis. Legal and administrative options available to the government for managing the media during a national crisis are examined. Accordingly, the paper proposes a new methodology for media participation with government in the business of crises management.

USAWC MILITARY STUDIES PROGRAM PAPER

THE NEWS MEDIA: SHOULD THEY PLAY A ROLE IN CRISIS MANAGEMENT?

AN INDIVIDUAL STUDY PROJECT

by

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THE NEWS MEDIA: SHOULD THEY PLAY A ROLE IN CRISIS MANAGEMENT?

CHAPTER 1

INTRODUCTION

Within the past three decades our American news media have undergone revolutionary changes which have dramatically affected their degree of influence on public opinion and their impact on our government's high-level decision makers. The modern news media's influence, some say "power," in today's society is enormous. They carry their message to millions of viewers, listeners or readers almost instantly, hour by hour and day after day. They have at their disposal the capability to influence the lives of private citizens and the decisions of elected officials without regard for the long-term effects of their reporting. By presence alone, the news media demonstrate their capability to influence national policy and the national security decisions contemplated by our National Command Authority. The ability of our elected officials to appropriately deal with this reality during a crisis situation is the subject of this paper.

BACKGROUND

The basis for these relatively recent improvements in news media capability is the explosion of technological advances in electronic communications. One has only to watch a morning television news program with "live" audio/video exchanges between a commentator in New York and one in

Moscow; view "live" television coverage of the earthquake victims in Soviet Armenia; or watch "live" coverage of Afghan rebels engaged in deadly combat with Soviet soldiers, to grasp the significance of modern communications technology in our society.

It was a mere 15 to 20 years ago that television film was being shipped by plane to and from distant locations. Today, news events are flashed "live" by satellite from reporters on location around the globe to living rooms across our nation and the world.

When we consider that each of the evening network news programs has 12 to 15 million viewers, and that two-thirds of the American public consider television news their principle source of information about local, national, and international events, the influence the media wield becomes obvious. (1)

Over this relatively brief period the "press" has become the "media," a term encompassing newspapers, periodicals, wire services, radio, and television. Newspapers have been eclipsed by television as the universal tool in daily communications. At the same time, journalism has become a significant sociological, political and cultural force, and some journalists have become national celebrities. (2)

THE ROLE OF THE MEDIA IN A DEMOCRATIC SOCIETY

The news media, particularly television, is today credited with the capability to influence public opinion to

an extent never before possible. In the words of Tom Bonafede of the National Journal, "the news media in the nation's capital have become accessories to the political process."(3) Other observers go so far as to describe the "media" as the fourth branch of our democratic government, often referred to as the "fourth estate." Clearly the perception in the political arena is that the media wield enormous influence over public opinion.

Michael Ledeen states in his article "Learning to Say 'No' to the Press," that "every morning in Washington our leaders begin their day by reading a Press Summary," and that "this generally precedes the reading of the classified Intelligence Summary speaks volumes about the power of the press, for it is the Press Summary, for the most part, that will establish the problems that the government will address during the next dozen hours."(4) He goes on to say "thus the media have truly become the Fourth Estate, an intregal part of the daily function of the government, and the leading practitioners--both in the media and in the older branches of government--know it full well".(5)

Further testimony to the media's new importance is the significance our government seems to place on relations with the press. For example, the President has a press secretary whose sole mission is to maintain positive media relations. A massive government public affairs operation, for the same purpose, is in full bloom throughout the federal bureaucracy.

To deny that there has often been, and continues to be,

a sharp and precarious competition between government and the media would simply be incorrect. History is replete with examples of the adversary relationship which sometimes exists between government and the news media. This competition is regarded by most as an integral aspect of our free and democratic society. Media interest under provisions of the First Amendment in matters concerning national security have, in hindsight, normally been beneficial to the health of our democracy. Examples of such instances include accounts by the press in Vietnam; the Watergate affair; the Marines in Lebanon in '82; and the Iran-Contra affair. In each case the media's involvement resulted in a subsequent shift in government policy.

"POWER" OF THE PRESS

The news media today are larger, more diverse, influential, and possess greater technological capabilities than ever before in our history. They possess the ability to mold public opinion by their selection of the world events worthy of media coverage, and those which they will ignore. In the words of William L. Rivers, "the news media have a power that shapes the leaders and the politics of the official government. The crushing power of the media is to select among the millions of words and thousands of events occurring each day in Washington....which words and events are to be projected.....what will the media people ignore? In most cases, the words and events that fail to be selected

might as well not have occurred."[6]

The capabilities of the media to collect information and to bring us world events "live" from anywhere on the globe are improving daily. Media-owned satellites with high resolution sensors are the prospect for the not too distant future. In fact there are instances today where the media have "scooped" our intelligence community in a crisis situation. When our government could not immediately locate TWA hostages in Beirut, Cable News Network got the job done. The implications of this phenomenon for government decision makers in national security matters will likely be enormous. Considering that our national security policy is driven in large part by public opinion, it is appropriate and in the interest of national security that the news media and our federal government explore new modes of cooperative yet independent operation. After all, the news media are not going to go away.

A NEW METHODOLOGY

This paper provides an assessment of the news media's influence on public opinion and their consequential influence on government decision makers. The purpose is to propose a methodology for the National Command Authority to implement when dealing with the media in a crisis situation. The question of how to coordinate the functions of government and the media in these situations is the central issue. Hasty decisions made in response to media inquiries or speculation

over government courses of action could have serious national security implications. Questions involving control of classified information will be addressed, as will the problem posed when the media have access to more complete or current information than the President. The bottom line is to resolve the basic question regarding the people's "right" to know vis-a-vis our national security during a crisis. Can an informed independent news media interact with the National Command Authorities to help achieve favorable resolution in a crisis situation?

ENDNOTES

1. Lloyd N. Cutler. "Foreign Policy on Deadline," Foreign Policy Magazine, No. 56, Fall 1984.

2. Dom Bonafede. "The Washington Press--Competing For Power with the Federal Government," National Journal, 17 April 1982: 664.

3. Ibid. 664.

4. Michael A. Ledeen, "Learning to Say 'No' to the Press." The Public Interest, vol. 73, Fall 1983: 113.

5. Ibid. 113.

6. William L. Rivers, The Other Government: Power & the Washington Media (New York: Universe Books, 1982), 213.

CHAPTER 2

MEDIA INFLUENCE ON CRISIS RESPONSE

Contemplating methods for government and press interaction in a future crisis requires an appreciation for how the media influence public opinion, and their effect on national security and policy. The purpose of this chapter is to review from whence the media derive their "power" to influence public opinion, how "power" has been applied in the past, and how the media are likely to respond in the future.

BACKGROUND

Throughout our history the "press," now the "media," have influenced popular sentiment on national issues. With television and now the most recent technological advances in electronic communications the "power" or "influence" of the mass media has greatly increased. The influential news and public information programs of the major television networks, ABC, CBS, and NBC, plus the 24-hour news coverage provided by CNN can facilitate or frustrate national debate by the way they report events and define issues.(1)

An open democratic society must have a free and independent news media to insure its existence. Our news media provide the population with the information necessary to enable them to participate effectively in the decisions and government policies which shape their future. No debate is more important than the one concerning the defense,

security, and survival of the nation. Issues concerning the national security must be clearly defined and clearly stated to promote useful public debate. The executive branch has a responsibility to insure national security policies are presented to the media in clear, unambiguous terms.

INFLUENCE OR POWER

Much of what most Americans learn about their government, its institutions and members, their activities, decisions, strengths and shortcomings, and capabilities of their military, they learn from the mass media. The media derive their influence over public opinion by using their "power" to decide which issues will be brought before the public, and the context in which the issues will be presented. The skill by which the media select issues to be reported (or ignored) and the tone in which they couch their remarks, influence the issues Americans will think important. They influence how the public think, and sometimes what they think. (2)

Richard Halloran, a respected journalist with the New York Times, takes issue with the notion of "the power of the press." He states that "the power of the press is a myth," because the press has neither the legal authority nor physical capability to enforce anything. (3) This may be so, or it may simply be a matter of semantics. In any case, Halloran goes on to state "the press and television exert enormous influence on the public agenda by what they select

to publish or broadcast and what they choose to ignore." 4. Mr. Halloran further claims the determining factor in what a reporter or news director decides to publish and what will be withheld from the public is an "elusive thing called news judgment."(5) "News judgment," he claims, is the ability of the editor or news director to decide what the public needs to know, wants to know, and has a right to know. It is, according to Halloran, derived from the editor's or news director's "sense of history, experience, point of view, taste, and that intangible called instinct."(6)

Essentially, that which the public needs to know about government and national policy is left to the media elite to decide. The elite are generally considered to be the most prominent publishers, editors, and correspondents in the business today. They are considered well-meaning journalists occupying positions of authority within their respective organizations. However, the free market competitive nature of American journalism influences their decisions, not necessarily a deep seated concern for unbiased reporting.

NEWS JUDGMENT

The significance of this thing called news judgment, when considering foreign policy issues, should not be over looked. Decisions regarding what the public should know, and that which there is no time or space to broadcast or publish, depend on the subjective evaluations of influential editors and network news directors. On occasion those informed "news

judgments" may be made by individuals who lack the experience to fully consider the long range policy consequences of that which is being published or aired.

Consequently, one issue which should be addressed by government media relations personnel is the effort being made to educate correspondents in the finer points of assessing the significance of the official information they are reporting. On the other hand, the media elite should be mindful of the experience levels of journalists who are assigned to report government business. They should recognize a responsibility to the public to insure that inexperienced journalists are not simply reporting events, but are analyzing the significance of those events as well. The public has a right to expect that journalists are reporting accurately and with some appreciation for the significance of issues or events. Reporters should be making an effort to go beyond the simple task of event reporting.

INFLUENCING THE DAILY AGENDA

As stated in chapter one, the first piece of business every morning for the president, his cabinet, and his senior aides is to read the White House news summary. It is prepared by White House staff members and is a compilation of condensed news reports and broadcast commentaries from both domestic and international news.(7) The fact that the contents of those news summaries often set the daily agenda for the White House staff, illustrates the degree of

influence the media has. Dom Bonafede states in his article on the Washington press that "officials are keenly, sometimes painfully, aware of the relationship between communications and public policy. They know that the electorate's knowledge and understanding of Administration activities is largely filtered through the press."(8)

As further illustration of the significance of the media in government affairs, Bonafede quotes former presidential counselor Edwin Meese III who stated to a group of journalists, "the press acts as intermediary between the public and the government and as national interpreter of events.....its effect can't be over-stressed, since perception can be more important than reality."(9) Meese further maintained that the media's impact is particularly evident in the foreign affairs area.(10)

The enormous impact of the media on government's daily operation is a result of media capacity to gather newsworthy information world-wide and air it in a timely manner. It's only prudent for designated government staffers to stay tuned to Cable News Network (CNN) throughout the day. The network has in the past been a valuable source of firsthand information in a developing crisis situation. When Americans were taken hostage in Beirut, CNN was first to know and was on the scene to make live broadcasts to the U.S. This sort of unfiltered information helps government staffers spot important breaking news stories and facilitates rapid government reaction. The preparation of public responses to

those stories which will require one, becomes part of the daily agenda.

Actually, the media have become such a pervasive force, that from a public affairs point of view, many events don't really take place unless they are covered by television, newspapers or news journals. Consequently, many less visible government and world events never receive the public attention they deserve. Thus government's agenda is influenced by publicity.

THE INFLUENCE OF TELEVISION

The television medium continues to come of age and is today considered the most influential means of mass communications. Nearly 70 percent of the American people consider television their principle source of national and international news. Television has a much wider reach and faster impact than newspapers and print journalism are able to achieve.(11) It makes such an instantaneous impression on viewers, that it has intruded into both the timing and substance of policy decisions made by the president.(12) The days are past when the president and his men had time to conduct an in-depth analysis of a particular situation, and the time to mull over various courses of action before making a final policy decision. Television news has accelerated public awareness of events, and once a significant event has received coverage the president and his men feel the pressure to respond publicly prior to the next evening newscast.

If the president fails to have a prepared response ready by the late afternoon news deadline, the evening news reporters may speculate to viewers the reasons why. They may suggest that the president's advisors are divided on the issue, that the president cannot make a decision, or that while the government hesitates, the leaders of the opposing party know exactly what needs to be done. (13)

The effect of this sort of uninformed speculation is to place undue pressure on the president and his advisors for decisive action. The danger in this situation is the possibility that in a crisis, perhaps one that threatens the very survival of the nation, the president could take a premature decision he may soon come to regret. He may be pressured into assuming a position which has not been thoroughly thought out, and could possibly end in disaster for the nation.

On the other hand, television news can also dissuade senior leaders from initiatives they may come to regret. Citizens who view on television the bodies of U.S. Marines murdered in Beirut, or children dying in the streets of Nicaragua, often identify with the victims and their families. The public's emotional response to such events can provide a warning to the administration not to pursue a policy further, or that in public opinion the policy is flawed and may therefore be difficult to sustain over the long term. The result is often a subsequent change of policy. Consequently, there is legitimate concern expressed

by the media over non-interference in a crisis situation. If they remain silent regarding an important national security issue, the government might slip into an indefensible course of action without having consulted the governed. (14)

Many examples of the government having been prodded into action by television publicity are available. In August 1982 after the Israeli invasion of southern Lebanon, the U.S. government sent Marines to Beirut as part of a neutral buffer while Yasir Arafat and his Palestine Liberation Organization forces were evacuated to other Arab states. The Marines withdrew when the evacuation was complete. However, a short time later, the Christian Phalangist militia, who at the time were allied with the Israelis, entered Palestinian refugee camps and began a slaughter of hundreds of men, women, and children. The television cameras were present and graphically recorded the grisly details of these gruesome events. Americans were shocked by what they saw and U.S. confidence in its Israeli ally was severely shaken. Within two days, President Reagan appeared on television to denounce the massacres and Israeli involvement, and to announce his decision to return Marines to Lebanon to protect Palestinian civilians. It has subsequently been reported that the president made his televised announcement against the advice of the secretary of defense and the Joint Chiefs of Staff. If television had not been present to report the massacres as they occurred, public horror would not have been as instantaneous or acute, and perhaps the president's response

could have been more deliberate and more wisely chosen.(15)

A year later, in October 1983, the Marines were still in Beirut for no apparent political or military reason other than to be an American presence in that war-torn nation. Without warning, more than 250 Marines were killed in the terrorist truck bombing of their Beirut barracks and once again the television cameras aired the horrid pictures of dead and dying Marines. Within a day the president announced the U.S. withdrawal from Beirut, and made a decision to invade Grenada for the sake of American students there. It has been suggested that the television news shortened the time available to weigh the consequences of that move, and that the impact of the pictures from Lebanon on the president and public probably accelerated his decision to take bold action elsewhere in the world.(16) Clearly, television has the capacity to affect not only the timing of major policy decisions but their substance as well.

The most harmful effect of television news on national policy is its tendency to speed up the president's decision making process. As new satellite imagery technology and communication capabilities are introduced to the equation, the pressures for rapid and decisive response to a crisis become even more acute.

Learning how to accept and cope with the realities of today's high-tech mass media is central to the art of governing. A free press, freedom of speech, and the public's right to know are values central to our democratic society

and they are worth protecting. Government and the media need to find some common ground, learn to trust one another, and in a crisis learn to cooperate for the welfare of the nation.

ENDNOTES

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7. Dom Bonafede, "The Washington Press--An Interpreter Or a Participant in Policy Making?" National Journal, 24 April 1982: 716.

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10. Ibid.

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13. Ibid., p. 276.

14. Mark Roselius Fontaine, The Press, American Policy, and the Cuban Missile Crisis. The American University M.A. 1969, (Ann Arbor: University Microfilms, 1970), 35.

15. Cutler, op. cit., p. 277.

16. Ibid.

CHAPTER 3

DEALING WITH FREEDOM OF SPEECH

Chapter 2 establishes that the mass media have a far reaching effect on public opinion, and that public opinion drives government policy. The purpose of this chapter is to examine the courses of action available to the government to influence or restrict media disclosure of sensitive national security information, thus limiting the media impact on public opinion and policy in a time of crisis.

As communications technology develops, so will the media's capability to gather and readily provide the public with information including sensitive data involving world affairs and national security. In the next few years, the growing availability of commercial satellites will make it very difficult for our national leaders to control media access to potentially sensitive government information.

Even today, the media have the capability to gather sensitive information unconstrained by government controls, and to air that information to the public as they see fit. In a crisis environment, this capability can have a dramatic effect on crisis management and the decision making process.

Ideally, full public involvement in government activities is desirable; however, there are times when in the course of conducting political affairs, the public interest is better served by government secrecy. There are those occasions when government actions involving national security

and policy should not be made public, and limiting media access to sensitive information is entirely justified. In support of this notion, U.S. District Judge Martin L.C. Feldman writes:

> "there is overwhelming consensus in our society for the view that certain national security information must be protected from disclosure; that, for the sake of our mutual safety, all must not be told. This pervasive and fundamental recognition of the need for secrecy can be said to transcend politics and rest upon the conviction that to reveal all would be to expose our nation to the hazards and ravages of international hostilites."(1)

The predicament facing the government then, is how to control sensitive information which is so readily available to the media, and how to restrict media publication in special situations, while complying with the intent of the First Amendment. The Constitution's guarantee of free speech and press assures journalists the right to publish. Normally, at the very hint of prior restraint, the press vigorously invokes protection of the law under the First Amendment. For example, the Reagan Administration excluded the press corps from covering the 1983 U.S. invasion of the island of Grenada for the first 48 hours of the operation. The outcry from the media was deafening and eventually resulted in plans for news media pooling as a means to furnish the media with early access to cover future contingency operations.(2) In response to what was perceived as media restraint, some members of Congress reacted by introducing a resolution calling for the impeachment of President Reagan for allegedly abrogating First Amendment freedoms.(3)

Although it is very difficult to restrict the media's publication of information without their cooperation, there are some options available to the government which allow it to control access to information to an extent. The question of the peoples "right to know" (a concept which is not to be found in the Constitution) through the media, vis-a-vis the government's right to keep silent is at the heart of the conflict between the news media and the government.

Bill Moyers, while presidential press secretary to President Johnson, attempted to justify the government's right to silence by stating:

> "It is very important for a president to maintain up until the moment of decision his options, and for someone to speculate days or weeks in advance that he's going to do thus and thus is to deny to the President the latitude he needs in order to make, in the light of existing circumstances, the best possible decision." (4)

Moyers makes a good point--one that is central to the problem faced by the National Command Authorities in crisis management today.

CENSORSHIP

Restricting media publication via censorship is one option which has been used effectively in the past; however, this technique has not been employed extensively since World War II, and was not used at all in Vietnam or during the invasion of Grenada.

It is highly unlikely that censorship will be a technique used in the future since at present there are no contingency plans for its use. To apply censorship in this

day and age would be extremely resource-intensive due to the size and capabilities of the modern media. Finally, to invoke censorship requires a mandate from Congress and a declaration of war, both of which are unlikely to happen.

In 1965 the Defense Department requested that World War II-style censorship be considered for controlling news from Vietnam. But the idea was ruled out at the urging of U.S. officials in Saigon because:

> [1] it was impractical, given the freedom of reporters in Saigon to travel to Hong Kong or elsewhere to file stories free of censorship; [2] there was no censorship in the United States and could not be without a declaration of war; [3] the South Vietnamese, hosts to the American forces, would have to have had a hand in censorship, and they had already set some unpopular precedents with their own press; [4] it was impossible to censor television film for lack of technical facilities; and [5] it was difficult to suddenly impose censorship in a war which had been covered without it.(5)

It is safe to assume, that censorship is no longer a viable option when considering ways to control media access to, and publication of sensitive government information.

GROUND RULES

The technique adopted during the Vietnam war for the management of sensitive information was simply the establishment of "ground rules" which provided the media with general guidance regarding what should not be published. The technique essentially relied on the individual's news judgment and responsible reporting for its effectiveness. There was no censorship involved. Reporters were free to dig for information as long as they applied the "ground rule"

parameters before airing their story.

The U.S. Mission in Saigon issued the guidelines to media correspondents who were told that if they violated the ground rules they would lose their accreditation (Military Assistance Command-Vietnam (MACV) authorization) to cover the war. Among other things, the rules banned:

> [1] Casualty reports and unit identification related to specific actions except in general terms, such as "light, moderate, or heavy." (overall casualty summaries would be reported weekly); [2] Troop movements or deployments until released by MACV; [3] Identification of units participating in battles; [4] With respect to combat photography and television, it was emphasized that visual close-ups or identification of wounded or dead, and interviews of wounded (without prior approval of a medical officer) should be avoided. (6)

For the most part, newsmen in Vietnam complied with the ground rules and acted responsibly in their reporting of sensitive information. Barry Zorthian, a former U.S. Mission spokesman in Saigon, observed in the four years that he was in Vietnam (1964-68), with some 2,000 accredited correspondents, that there were only four or five cases of security violations concerning tactical information, and few were intentional. (7)

It would seem that the government had hit upon an effective means of dealing with the press. Appeal to their sense of news judgment, responsibility, and team spirit: Trust them but hold them accountable.

LEGISLATIVE CONTROLS

With the exception of a few narrowly focused federal laws which restrict the lawful publication of certain types

of information there are no laws restricting freedom of the press. Considering the protections provided by the First Amendment against such laws it is unlikely there will new restrictive legislation in the future.

The laws currently in existence include:

1. The Freedom of Information Act: which exempts from disclosure properly classified information when public requests for such information under provisions of the Act are received. It has no power to restrict the publication of such information when it has been obtained through other means.

2. The Espionage Act of 1917: generally forbids the willful disclosure of information which relates to national defense when such information is intended to be used to the injury of the U.S. The scope of the act is still unclear but it is unlikely that it could be applied under any condition less than the most specific circumstance.

3. The Intelligence Identities Protection Act of 1982: is very narrow in scope and criminalizes the disclosure of information regarding the identity of any covert agent of the United States, by anyone, regardless of whether the identity was learned by access to classified information.

4. The Atomic Energy Act of 1954: is again useful for controlling information only when applied in very narrow scope. It makes criminal the disclosure by anyone of "restricted data," which is defined to include any information related to the design, manufacture, or utilization of atomic weapons, "with reason to believe such data will be utilized to injure the United States or to secure an advantage by any foreign nation."(8)

So while there are laws on the books which are designed to restrict the publication and inappropriate use of some types of information, they are extremely narrow in their scope and are seldom tested. Consequently, they are of little use to the government when it comes to controlling information in general. Freedom of expression and of the press is the bedrock of our thriving democracy, and no elected official is foolish enough to introduce legislation which could be interpreted to restrict those rights. So the

burden is on the government to find ways they can work with the media to control sensitive information.

PRIOR RESTRAINT

Legal steps known as prior restraint are available to the government in specific instances to block the publication of sensitive or damaging information. Again, this avenue is feasible in only the most specific instances. Federal judges are extremely reluctant to grant court injunctions blocking publication even for brief periods. Prior governmental restraint is a tool for use in only the most unique circumstances, and would be of little value to the government in a fast-paced crisis management situation. Restraints on the dissemination of information are subject to exacting judicial scrutiny because, as Justice Blackmun states, "a free society prefers to punish the few who abuse rights of speech after they break the law than to throttle them and all others beforehand."(9)

In the final analysis, the government must appreciate that in American society the premium placed upon open debate and a free and uninhibited press is non-negotiable. Effective national security measures depend not on establishing police-state controls, but on maintaining a consensus both within and without government that certain kinds of information require secrecy and must be restricted, while also recognizing that in the vast majority of situations the American people have a right to know what their government is doing. The process of reconciling free

speech with the demands of national security is a shared responsibility involving the courts, the executive branch, congress, and the media.(10)

As technological advances in communications systems come on line and the media beam in and out of every corner of the world, the question of how to control disclosure of sensitive national security information becomes even tougher. Unless the government and the media arrive at an agreement on a system which serves both the needs of the public and the requirements of government, in the words of Michael Leeden, one of two things is likely to happen: "Either the media will eventually prevail, thus producing electronic mobocracy, or government by public opinion poll; or there will be a violent anti-media reaction, leading to harsh regulation of the media and real damage to freedom of the press."(11)

The answer to this very difficult problem will be found in a methodology of routine mutual trust and confidence demonstrated by both government and the media; responsible sharing of information; and a system of cooperation and coordination. Censorship, legislative controls, and governmental prior restraint are useful in only the most limited sense. In today's high-tech media world, there must be a revolutionary approach to information control in a crisis situation.

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6. Ibid., p. 65.

7. Ibid.

8. Feldman, op. cit., p. 395.

9. David M. O'Brien, The Public's Right To Know: The Supreme Court and the First Amendment, (New York: Praeger Publishers, 1982), 152.

10. Feldman, op. cit., p. 397.

11. Michael A. Ledeen, "Learning to Say "No" to the Press," The Public Interest, 73 (Fall 1983): 118.

CHAPTER 4

THE MEDIA IN CRISIS MANAGEMENT

Up to this point we have established that the mass media have the potential to make a significant impact on national security and the formulation of policy by the information they choose to publish, and its effect on public opinion.

In a developing crisis, events occur so rapidly there is no time for the press to influence the action through public opinion. However, they do manage to influence the decision making process by their presence. They ask pointed questions, dig for sensitive information, and engage in public speculation regarding the possible decisions being made. Their actions are all legitimate, and are taken in the name of keeping the public informed; however, the effect is to level enormous pressure on the president and his advisors for rapid and decisive action. In the future, the media's probing questions will be asked from a position of relative strength as new technologies provide them with satellite photos of the crisis area.

It has also been established that given our freedom of the press and the protections provided the media under the Constitution there is little the government can do in peacetime to restrict the publication of sensitive information. These realities may present a significant challenge to our national security, not only during periods of heightened world tension and crisis, but also in

peacetime. For example, in the conduct of diplomatic affairs there is often a requirement for secrecy to facilitate international consensus on potential agreements. In today's high-tech communications environment it is extremely difficult to maintain secrecy, and in the future it will be even tougher. Information which the media fails to gather through its own means, is likely to be provided by other sources. Foreign governments with the means to gather and to sell information are one source, while "leaks" from within the U.S. bureaucracy are another lucrative source of news information. Judge Feldman illustrates the difficulties encountered by policy makers when secrecy is not maintained:

> "Other nations can hardly deal with this Nation in an atmosphere of mutual trust unless they can be assured that their confidences will be kept. And within our own executive departments, the development of considered and intelligent international policies would be impossible if those charged with their formulation could not communicate with each other freely, frankly, and in confidence."(1)

The media's anticipated widespread use of high resolution satellite imagery will exacerbate the situation in the future. The fear that the media could compromise national security by increasing the visibility and risk of military operations, or could complicate U.S. foreign relations by angering allies and adversaries with disclosure of sensitive satellite information are well founded.(2) The five areas of greatest concern regarding the media's use of satellite imagery are:

> [1] Satellite images could allow the media to disseminate information about U.S. military operations such, as naval deployments, and thus could deprive troops of

the element of surprise; [2] they could use images to reveal sensitive information about other countries thus provoking an attack on U.S. activities, assets or personnel; [3] they could provide intelligence to countries that do not own reconnaissance satellites; [4] images could be used to reveal facts about an unfolding crisis, making it more difficult for government leaders to act calmly and responsibly; and [5] the news media may misinterpret satellite images in such a way as to precipitate a crisis.(3)

Clearly, there is the potential for a flood of information to be gathered by the media during a crisis. There is a requirement for government to assist with the management of that information, and thus reduce the uncertainty that stems from media speculation.

The purpose of this chapter is to outline a proposal for the conduct of government/media operations to manage information during crises. The objective is to provide a means for reducing the adverse impact uninformed media speculation sometimes has on the formulation of national policy, and to control the premature disclosure of strategic intelligence information which is potentially damaging to national security.

AN INDEPENDENT MEDIA COUNCIL

The plan is designed to alleviate the conflicts surrounding information management that often exist between government and the media during crises. Generally speaking, the proposal advocates the adoption of an elite government-media information coordinating council to be activated in times of crisis. The plan's success depends on government and media cooperation in managing the information available

during a developing crisis. They will jointly decide what should be published now, and what information should be temporarily withheld from publication for national security reasons.

The elite council will consist of senior representatives from both the media and government. Prominent publishers or editors, and network news directors from the nation's elite media will be invited to join with senior presidential advisors to discuss and assess developments during a crisis.

The council will be activated at the direction of the president, and called into session in conjunction with the National Security Council (NSC) crisis management cell. The media council will have access to essentially all the information that's available to the president. The only exception being highly classified information to which the council will be denied access until such time as the material can be sanitized and its classification down-graded. This precaution is to protect national collection sources and methods, and technological capabilities.

Whether crisis-related information is gathered from government or from media sources is immaterial. Any information bearing on the situation should be shared, protected and managed by this government/media coalition. Information collected via commercial satellite is likely to be as significant as that collected by national means.

A council responsibility will be to help the president assess the political significance of an international event,

and then provide him advice regarding the options available to him from the standpoint of their effects on public opinion. The objective is to avoid selecting a course of action the public will ultimately refuse to support. This effort is not to involve the media in partisan politics, but rather to solicit their assistance in arriving at the best course of action for the nation as a whole.

A second responsibility will be to decide what information is suitable for publication, and what should be withheld from the public for national security reasons. The precedent of media self-restraint in terms of withholding sensitive information from publication has been set on numerous occasions. Richard Halloran states "There have been instances, not generally known because of their sensitive nature, in which journalists have withheld information that, if published, would have caused a clear and present danger."(4) One example he cites, is that several reporters in Washington knew during the U.S. hostage crisis in Iran, that several Americans had taken refuge in the Canadian Embassy in Teheran. If that information had been aired, those individuals and their protectors would have been in certain danger. In the case of the TWA airliner hijacking in Beirut, The New York Times and other publications went to great efforts to determine which passengers were military personnel so that their identity could be kept out of the news.(5) Finally, in the Bay of Pigs crisis of 1961, The New York Times had the story of the planned invasion 10 days

before it was to take place. However, the managing editor of the Times Turner Catledge, decided to play down the story despite the objections of his editors, because he felt the story, if unaltered, would be a gross interference in national policy. Consequently, the story was not printed.(6) There are many other examples, however the point is that when entrusted with sensitive information the press has demonstrated a capacity for responsible reporting.

Certainly, there is a mind set among journalists that will allow them to voluntarily withhold publication of information when deemed necessary. Some decisions not to publish are made by editors who apply common sense to the situation, while others have withheld information at the request of government authorities.(7) Despite the free enterprise pressures on reporters to scoop the rest of the industry and to report all, regardless of the repercussions, most prominent reporters think of themselves as responsible, ethical correspondents who are Americans first.

When asked for his opinion regarding this proposal, Richard Halloran stressed the importance of mutual trust and confidence to its success. He was adamant that in our democratic society, government never has the right under any circumstances to lie to, or deceive the press and the people. He stressed that for the concept to have a chance of success, the government would have to be straight forward and candid with the media council. There could be absolutely no attempt to manipulate public opinion by misinforming the media. He

stated, if the council ever suspects the government is being less than candid and truthful, the effort in cooperation will fail. Halloran further stated, that if council ground rules and concepts of operation could be worked out with the media, and if mutual trust and confidence could be established between the parties, then the process might work. He was of the feeling that this proposed arrangement was certainly better than an official secrets act, or the ad-hoc way government and media relations are conducted today. (8)

The bottom line is, there will certainly be occasional conflicts between the government and media regarding information that should be published, and that which should be withheld. In those instances, the government's only recourse is to take the risk and rely on the media's news judgment. The advantages realized over the long term are probably worth the risk.

OPERATING GROUND RULES

The operations of the media council will be governed be a fairly specific set of ground rules mutually agreed upon by the elite media representatives and the executive branch. As previously stated, the council will meet during times of crisis, and should also be randomly activated once a quarter to test and perfect procedures. Those random activations will serve to provide a forum for special media-government exchanges on current events and concerns, and could provide the opportunities needed to sustain the feelings of mutual

trust and confidence which are essential to the council's existence.

To facilitate the council's operations, and demonstrate its relative importance in the crisis management arena, it should be provided a conference room at the White House in which to conduct its business. This arrangement will not only be convenient for both the media and the government representatives, but will expedite media interaction with the president and his National Security Council. The White House press room will then be available for both government and media press conferences. Finally, for the system to work, the elite media council must feel they are involved where the action is. Consequently, office space away from the White House, at the Executive Office Building or other government facility in Washington would not be useful. Ground rules, such as those listed below, should be considered and fleshed-out by the media council itself. They include such things as:

--The media must remain entirely independent of the government. There must not be the appearance of co-opting the press by government.

--A government security clearance will be required for each media representative.

--There may be no government reprisals for independent media reporting.

--The government will retain the right to withhold sensitive national security information, but will invoke that

right in only the most extreme circumstances. One of the councils tasks will be to determine when withholding information may be justified. A violation of trust and confidence will bankrupt the council.

--There can be no advanced publication of troop movements or military options in a crisis, unless agreed upon by the president.

--The elite council must make every effort to insure equity in the availability and distribution of information to the press at large. The council can not survive accusations of media inequity by those outside the council.

--All transactions between government and the media must be truthful and candid.

--Media and government representatives who violate the ground rules may be required to leave the council.

DETERMINING THE COUNCIL'S COMPOSITION

Most of the news available to Americans nation-wide trickles down from a relatively small number of sources which are often referred to as "the media elite." Most journalists would agree that these include:

-the two major wire services: the Associated Press and the United Press International.

-the three major commercial television networks: ABC, NBC, and CBS, plus the Cable News Network CNN.

-the three principal newsmagazines: Time, Newsweek, and U.S. News and World Report.

-three newspapers, each of which is nationally important for a different reason: the New York Times, the Washington Post, and the Wall Street Journal. (9)

The initial members of the media council should be representatives from those prominent institutions. One senior publisher or editor from each. Perhaps in the future, arrangements can be made to rotate membership.

There are of course others who could be added to the list and in fact one of the challenges of this plan is to determine the process by which board members should routinely be selected. Tom Diaz, Assistant Managing Editor of the Washington Times, expressed deep concern over the process of selecting the elite media representatives. His concern regarding the equity issue in this very competitive business of selling information is well taken. He feels the elite board members would be placed in a position of having the inside track on major news scoops, consequently he believes membership should be fair, unbiased, and shared by all media. (10)

The equity question in terms of council membership, and protection of news competitiveness are major concerns which need to be resolved. Theoretically, the media board will have the inside track on major news breaks. Therefore, the council must be sensitive to and guard against the slightest indication of impropriety by council members. Otherwise, disruptive charges of inequity will be leveled. Compliance with a definitive set of ground rules will be useful.

On the government's side of the house, it is recommended that council representatives be senior presidential advisors. With the significance being given the board and its

activities, it would be appropriate for the president's National Security Advisor (NSA) to chair the council. Realizing that in a crisis this individual is extremely influential, his presence on the council will be an indicator of the president's commitment to making the coalition work. Since the NSA is expected to spend much of his time with the National Security Council during a crisis, he would require an influential deputy, respected by the media, as his assistant and full-time participant on the council.

Finally, The president himself would be expected to visit the council from time to time, to discuss issues and lend his full support to the council's work.

CONCLUSIONS AND RECOMMENDATIONS

As one contemplates this notion that government and the media must find common ground on which to cooperate and share information, it becomes evident that indeed there is a role for the media to play in crisis management, and government needs to find ways to include them. The new satellite technologies which will soon provide the media with the capability to gather and process sensitive information more efficiently than government bureaucracy can hope to achieve, simply reinforces the obvious requirement for coordination and cooperation. A government initiative to develop an information management system is imperative. The executive branch of government should develop and sell to the media, either this program or one similar to it. After all, the

media is under absolutely no obligation to seek this sort of agreement. The Constitutional protection of freedom of the press insures the media will not be controlled beyond the extremely narrow limiting laws presently in effect. An arrangement with the media elite in hopes of instituting a system designed to manage sensitive information in a crisis will be of benefit to both parties; however, there is no doubt that government has the most to gain. The National Security Council Staff, under the direction of the NSA should be the agency to put together a detailed plan, work the issues, and subsequently bring the media on board. It won't be an easy task, but will be one which pays long-term dividends.

We can't know if such a proposal will work unless we try, but we can be relatively certain that media-government cooperation is the only viable option today. Interestingly, both Dick Halloran and Tom Diaz indicated they believe the proposal has merit and that with some hard work and coordination it could become a solution to the habitual media-government conflict.

The foundation on which any agreement will be built is one of mutual trust and confidence. Without trust there is no hope of ever achieving cooperation. Government must deal with the media in an open and honest manner, but on the other hand, the media must act responsibly too. Protecting our national security is everyone's business. Judge Feldman says it best when he writes, "As a major force in our

society, the institutional press is a public trustee, obliged to act responsibly with respect to publishing information that might adversely affect the nation's security. Self-regulation and cooperation by the press with government could provide the surest guarantee against undesired national security disclosures."(11)

Regardless of the obstacles to implementation of this proposal it is in the best interest of the nation that both media and government work together to achieve a solution to the ever increasing challenge of information management during crises. The American people should accept nothing less than both institutions acting responsibly together to solve what could easily become a dangerous situation if left unattended. The president's National Security Advisor should undertake the necessary staff actions to develop a detailed proposal, perhaps jointly with the media, and work diligently for implementation.

ENDNOTES

1. Martin L.C. Feldman, "Why The First Amendment Is Not Incompatible With National Security Interests," Vital Speeches of the Day, 15 April 1987: 396.

2. "Media Satellite Could Complicate Military, Foreign Policy Activities," Aviation Week and Space Technology, 8 Jan. 1987, 126: 22.

3. Ibid., p. 23.

4. Richard Halloran, "Soldiers and Scribblers: A Common Mission," Parameters 17 (Spring 1987): 23.

5. Ibid.

6. Mark Roselius Fontaine, The Press, American Policy, and the Cuban Missile Crisis, The American University M.A. 1969, (Ann Arbor: University Microfilms, 1970), 40.

7. Halloran op. cit., p. 23.

8. Interview with Richard Halloran, The New York Times, 8 February 1989.

9. William A. Rusher, The Coming Battle for the Media: Curbing the Power of the Media Elite (New York: William Morrow and Company, 1988), 14.

10. Interview with Tom Diaz, The Washington Times, 8 February 1989.

11. Feldman, op. cit., p. 398.

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